

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Milan C. Dean,

Civil No. 08-5413 (PAM/SRN)

Plaintiff,

v.

ORDER

Jennie Martinez,
Juan Baptista,

Defendants.

This matter is before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge Susan Richard Nelson dated October 15, 2008. In the R&R, Magistrate Judge Nelson recommended that the Court deny Plaintiff’s motion to proceed in forma pauperis and summarily dismiss this matter under 28 U.S.C. § 1915(e)(2)(B)(ii). Plaintiff has failed to file objections to the R&R in the time period permitted. The Court therefore **ADOPTS** the R&R (Docket No. 3).

Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff’s Motion for Leave to Proceed in forma pauperis (Docket No. 2) is **DENIED**; and
2. This matter is summarily **DISMISSED** under 28 U.S.C. § 1915(e)(2)(B)(ii).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: Tuesday, November 25, 2008

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge